

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORRIS LEE,

Plaintiff,

vs.

CV F 02 5037 LJO WMW PC

ORDER FINDING COMPLAINT  
STATES A COLORABLE CLAIM  
AND DIRECTING PLAINTIFF  
TO COMPLETE USM 285 FORMS

MARK JOHNSON, et al.,

Defendants.

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on August 11, 2003. The court has screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A and finds that it appears to state cognizable claims for relief under 42 U.S.C. § 1983 against defendants Johnson and Kellams for deliberate indifference, in violation of the Eighth Amendment. Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate for the following defendants:

CAPTAIN MARK JOHNSON

SERGEANT KELLAMS

2. The Clerk of the Court shall send to plaintiff two USM-285 forms, two

1 summonses, a Notice of Submission of Documents form, an instruction sheet and  
2 a copy of the complaint filed January 8, 2002.

3 3. Within **thirty (30) days** from the date of this order, plaintiff shall complete the  
4 attached Notice of Submission of Documents and submit the completed Notice to  
5 the court with the following documents:

6 a. Completed summons;

7 b. One completed USM-285 form for each defendant listed above; and

8 c. Three copies of the endorsed complaint filed January 8, 2002.

9 4. Plaintiff need not attempt service on defendants and need not request waiver of  
10 service. Upon receipt of the above-described documents, the court will direct the  
11 United States Marshal to serve the above-named defendants pursuant to Federal  
12 Rule of Civil Procedure 4 without payment of costs.

13 5. The failure to comply with this order will result in a recommendation that this  
14 action be dismissed.

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18 IT IS SO ORDERED.

19 **Dated: July 15, 2008**

/s/ William M. Wunderlich  
UNITED STATES MAGISTRATE JUDGE